

The Health Creation Alliance

Respect at Work

(previously known as Harassment and Bullying Policy)

January 2024

1. Introduction

Our Code of Conduct [THCA-Code-of-Conduct-Oct23.pdf](#) outlines how we model the best of health creation by treating everyone with respect and making everything we do a welcoming and safe place to be. It includes the six features of health creating relationships and practices that are embedded in the way we work.

This document outlines our policy in relation to bullying and harassment at work, including social occasions linked to work, and the formal procedures for dealing with any such occurrences.

2. What is this policy for?

Everyone has the right to be treated with dignity and respect at work. Everyone has the right not to be harassed and has a responsibility to treat others with dignity and respect. Our people are expected to act with integrity and respect at all times showing understanding, valuing differences and being approachable sensitive and considerate in line with the THCA values.

Bullying or harassment of any kind is unacceptable and potentially unlawful and will not be tolerated in any circumstances. Those who are found to have bullied or harassed may be subject to action and may be dismissed from paid employment and/or their membership withdrawn.

3. Definitions

- A volunteer is a person who has an agreement to work with the THCA on a specific piece of work or role which is not remunerated. E.g. Non-Executive Director
- An Employee or Associate receives payment for a specific piece of work or role which is remunerated. This may be through direct engagement or be fixed term in nature.
- A member is defined as a person who has signed up to receive our newsletter
- A participant is a person who attends one of our events e.g. training programme, conference or meeting.
- “Our people” is the collective term used to describe the roles above.
- A supervisor is the person to whom you receive day to day direction from regarding your role, regardless of whether you are employed or not.

Harassment is unwanted behaviour whether physical, verbal or non-verbal; which is viewed as unacceptable by the person experiencing it, those witnessing it, and/or others, and which makes the person feel upset, threatened, humiliated or vulnerable. It may be related to age, sex, race, disability, sexuality, political opinion, religion, nationality or any professional, role-based or personal characteristic of the person.

Bullying is offensive, intimidating, aggressive, malicious, hostile or insulting behaviour, an abuse or misuse of power, which is meant to undermine, humiliate or injure the person on the receiving end.

The difference between bullying and harassment is more to do with the way it is set out legally rather than the actions that have occurred/ occurring. In essence bullying isn't as clearly defined in legislation as harassment (which is defined in the Equality Act 2010 as "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual". Generally speaking, harassment has more to do with the individual's characteristics (ie: sexual orientation, age or race) whereas bullying is more targeted towards the individual aside from protected characteristics. The difference is a rather grey area hence we are using the overall phrase "dignity at work" to emphasise that everyone has the right to be treated with dignity and respect.

4. Types of behaviour

Bullying and harassment may take many forms. This list is for guidance and is not exhaustive. It can be one incident or a series of incidents (or micro-aggressions) including:

- spreading malicious rumours, or insulting someone
- copying correspondence that is critical about someone to others who do not need to know
- deliberate exclusion or victimisation
- ridiculing or demeaning someone – picking on them or setting them up to fail
- setting impossible targets, giving a person an unreasonable workload, and / or constantly changing the work remit without telling the person, in order to bully or harass them
- shouting at or behaving aggressively towards people
- unwelcome sexual advances - touching, standing too close, display of offensive material
- sending inappropriate messages
- intimidation or threats
- abusive language targeted at or about the individual in writing or verbally

- jokes targeted at or about the individual, discriminatory language or behaviour related to a person's race, sexuality, age etc.
- making threats regarding employment or giving disciplinary warnings without listening to explanations or following procedure, including threats of dismissal.
- loss of opportunity, advancement or career development (including within a voluntary capacity)
- abuse of power

. Different individuals may have a different view of what is and what is not acceptable. Legitimate, justifiable and appropriately conducted monitoring of our people's behaviour or work (for example target setting or regular performance reviews) does not constitute bullying or harassment. Whilst this may make people feel uncomfortable or unsettled, this is not unacceptable managerial behaviour.

Individuals who have caused offence may be unaware of their behaviour and the use of the informal process may easily be able to bring to light and resolve an issue that could potentially escalate unnecessarily.

5. Procedure

All claims of harassment or bullying will be dealt with quickly, fairly, seriously and in confidence. Whilst malicious claims are rare, our people who falsely accuse others of bullying or harassment must be aware that they themselves may be subject to action in accordance with the THCA **Conduct and Disciplinary Policy. [Note – we haven't yet got this policy]**

At any stage during the process Trade Union advice can be sought or you can be accompanied by a trusted colleagues associated with THCA (i.e. a colleague or another THCA member).

Informal stage

Where people feel that they are being harassed or bullied, where possible they should ideally make it clear to the person who is harassing or bullying them, that their behaviour is not acceptable and they want it to stop. They should clarify either through a face-to-face meeting or through correspondence which behaviour they regard as unacceptable.

Everyone is encouraged to keep documentary evidence of each incidence of behaviour they feel is inappropriate. This could be in the form of a diary or notes and does not need to be shared with anyone else at this stage.

However, if you feel unable to speak directly to the harasser/bully, you may find it helpful to ask a colleague to speak to the person concerned. Or you may want to discuss this with your immediate supervisor or, in the case of our members or participants, the THCA representative who is facilitating the event who for the purpose of this procedure acts as the supervisor.

An informal discussion between the two parties may be sufficient to bring the behaviour to the attention of the individual and to resolve the situation. The individual whose action has caused

offence may be unaware of their behaviour and may easily be able to resolve the issue. If informal discussions fail to resolve the situation, either party may consider mediation.

Mediation is a voluntary process but if either party does not co-operate in resolving the issue via mediation the situation may result in a formal investigation. In such situations, one area that the formal investigation is likely to review and take into consideration is the reasons why mediation was not appropriate.

Formal Stage

Where the matter is not resolved through the informal approach, or if the problem continues after an agreed resolution, or the allegation is deemed sufficiently serious, the matter will be referred to the appropriate supervisor to conduct a formal investigation.

The supervisor will approach a named person (another member of THCA, who will act as the investigating officer) to ask them to conduct an investigation. The aim of the investigation is to consider the facts which are usually obtained by conversations with those involved and any witnesses, who will be notified in writing. The conversations will be formally documented and will form the bases of the investigation report.

On very rare occasions, the individual accused of inappropriate behaviour may be removed from the immediate working environment. This is to reduce contact during the investigation. This may include transfer to another area of business or suspension from duties. THCA views suspension as a neutral action and will enact this as the last resort.

On completion, the supervisor who commissioned the investigation will receive the investigation report. At the end of the investigation, it is the supervisor who makes the decision as to how to proceed. This could, although is not limited to:

- Mediation between all parties
- Re-training
- Disciplinary action (which could result in sanctions e.g., removal of membership from THCA or dismissal for a paid employee)

Collective Complaints

These should be handled in the same way as individual complaints. However, although one complaint is logged, colleagues should be aware that during the investigation stage individual statements/interviews will take place with the investigating officer. As outlined above, individuals may be supported by a Trade Union representative or a THCA colleague or another THCA member acting in an advisory capacity. A collective complaint cannot be submitted following an individual complaint having already been considered for the same matter.

Appeal

If the complaint’s bullying and harassment is not upheld or the complaint feels there has been a technical breach of this policy or the investigation has resulted in a biased or incomplete outcome, there is an appeals process. A request for an appeal should be directed to THCA Chair outlining the reasons for the appeal. The complainant does not have the right to appeal against the level of any management action taken against the perpetrator if their complaint is upheld.

This is the final stage of the internal process.

Timescales

The policy should be conducted within these specified timescales unless there are exceptional circumstances of which all parties will be notified.

Action	Timescale
Immediate supervisor to acknowledge receipt of verbal/ written allegation of bullying or harassment	Within 5 working days.
Investigating Officer to arrange a meeting to discuss the complaint and establish which route the person wishes to take, formal or informal	Within 10 working days, following acknowledgement
Undertake the investigation	Within 4 weeks if possible
Appeal against outcome or fairness of process	Within 10 working days of the decision being conveyed.

Additional Guidance

We model our values and the enactment of this policy should be within the six features of health creating relationships and practices, in particular listening and responding, truth-telling and reciprocity.

THCA reserves the right to impose appropriate disciplinary action for any conduct it considers to be disruptive or inappropriate. The circumstances of each situation may differ and the level of disciplinary action may also vary, depending on factors such as the nature of the offence, whether it is repeated, the person’s work record and the impact of the conduct on the organization.

No-one will be subject to retaliation for filing a complaint under this policy.

Date of last full review: January 2024

We will undertake a light-touch review annually and a full review every 3 years.